



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re Application of:*

Donald L. MORTON *et al.*

Serial No.: 07/431,533

Filed: November 3, 1989

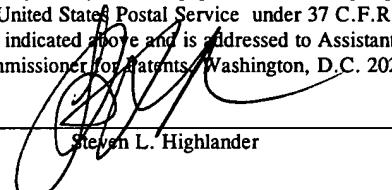
For: URINARY TUMOR ASSOCIATED  
ANTIGEN, ANTIGENIC SUBUNITS  
AND METHODS OF DETECTION

§  
§  
§ Group Art Unit: 1813  
§  
§ Examiner: H. Sidberry  
§  
§ Atty. Dkt.: CADL:002/PAR  
§  
§

CERTIFICATION OF MAILING UNDER 37 C.F.R. §1.8

DATE OF DEPOSIT December 18, 1996

I hereby certify that this paper or fee is being deposited with the United States Postal Service under 37 C.F.R. 1.8 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

  
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Steven L. Highlander

COMMUNICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

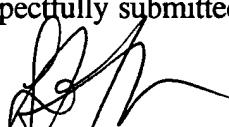
Dear Sir:

This communication supplements the transitional response and amendment, filed on September 30, 1996, regarding the above-captioned application. Applicants request that the examiner accept the enclosed Declaration of Ralph A. Reisfeld Under 37 C.F.R. § 1.132 for consideration.

In his declaration, Dr. Reisfeld provides further reasons why the Euhus *et al.* abstract, currently advanced by the examiner under 35 U.S.C. §102 and §103, is not enabling for the claimed subject matter. In particular, Dr. Reisfeld points out that the absence of a meaningful description of U-TAA, or an antibody thereto, would preclude the skilled artisan for confirming that the work described by Euhus *et al.* had, in fact, been reproduced. Without this ability, the value of the Euhus *et al.* disclosure to the present invention is nil.

Consideration of the enclosed declaration and comments included herein is respectfully requested prior to a first Office Action. While applicants believe no fees are due at this time, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Arnold, White & Durkee Deposit Account No. 01-2508/CADL:002/PAR.

Respectfully submitted,



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Date: December 18, 1996